



FAIR POLITICAL PRACTICES COMMISSION

428 J Street • Suite 620 • Sacramento, CA 95814-2329

(916) 322-5660 • Fax (916) 322-0886

May 10, 2011

✓ Mr. Eduardo Garcia

REDACTED

Advisory Letter Re: FPPC No. 11/259, Eduardo Garcia, Respondent(s)

Dear Mr. Garcia:

The Fair Political Practices Commission (the "FPPC") enforces the provisions of the Political Reform Act (the "Act"),¹ found in Government Code section 81000, et seq. This letter is in response to a complaint filed against you that alleged that at a June 13, 2007 meeting of the City of Coachella City Council, you failed to leave the room when discussing the awarding of a \$6,000,000 contract to Rancho Housing Alliance, Inc.

At the June 13, 2007 meeting of the Coachella City Council, you declared a conflict of interest, believing the Desert Alliance for Community Empowerment ("DACE") was an economic interest, but you failed to leave the room while the matter was being discussed.

Section 87103 requires that when a public official has a financial interest in a decision, he or she shall:

- (1) Publicly identify the financial interest that gave rise to the conflict of interest in detail sufficient to be understood by the public;
- (2) Recuse himself or herself from discussing and voting on the matter; and
- (3) Leave the room until after the discussion, vote, and any other disposition of the matter is concluded.

¹ The Political Reform Act is contained in Government Code sections 81000 through 91014. All statutory references are to the Government Code, unless otherwise indicated. The regulations of the Fair Political Practices Commission are contained in sections 18109 through 18997 of Title 2 of the California Code of Regulations. All regulatory references are to Title 2, Division 6 of the California Code of Regulations, unless otherwise indicated.

If you had a conflict of interest in this matter, you should have left the room during the discussion and vote on the agreement. Since you did abstain from the decision, and it appears that your participation was limited to calling the vote of the council, we are closing our file on this matter.

If you need guidance regarding your obligations in the future, please call the FPPC's Technical Assistance Division at (916) 322-5660, Monday through Thursday, between 9:00 a.m. and 4:00 p.m. Please also visit our website at www.fppc.ca.gov.

If you have questions regarding this matter, please contact me at (916) 322-8194.

Sincerely,

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Jeanette E. Turvill
Political Reform Consultant
Enforcement Division

GSW/jt